

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 375 Session of  
1993

INTRODUCED BY E. Z. TAYLOR, CARONE, FLICK, BATTISTO, KING,  
VANCE, FLEAGLE, CAWLEY, PESCI, HERMAN, DEMPSEY, CESSAR,  
GODSHALL, MERRY, ROBERTS, HECKLER, GLADECK, JOSEPHS,  
MICOZZIE, WOZNIAK, BARLEY, SEMMEL, TRELLO, SAURMAN, ARGALL,  
DeLUCA, FARMER, PETTIT, CLARK, BUNT, MILLER, GERLACH, OLASZ,  
PETRARCA, MARKOSEK, FAIRCHILD, S. H. SMITH, PITTS, HERSHEY,  
STERN, KENNEY, PHILLIPS, BAKER, TIGUE, TOMLINSON, LEH,  
PICCOLA AND BROWN, FEBRUARY 10, 1993

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, FEBRUARY 10, 1993

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," further providing for the  
4 determination of need and amount of benefits for general  
5 assistance recipients and recipients of aid to families with  
6 dependent children.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 432.12 of the act of June 13, 1967  
10 (P.L.31, No.21), known as the Public Welfare Code, amended or  
11 added July 15, 1976 (P.L.993, No.202) and April 8, 1982  
12 (P.L.231, No.75), is amended to read:

13 Section 432.12. Determination of Need.--(a) In determining  
14 need for general assistance and for aid to families with  
15 dependent children, the income of all members of the assistance  
16 unit who are fourteen years of age or older shall be considered  
17 except the income of a member of the assistance unit who is

1 between the ages of fourteen and twenty-one, is a full or part-  
2 time student, and is not employed full time. In determining  
3 eligibility, a part of the income may be excluded if  
4 attributable to the earning of income. Eligibility determination  
5 for general assistance and for aid to families with dependent  
6 children shall be based on the Federal allowances for actual  
7 work expenses, work incentives and the allowable amount of day  
8 care expense per eligible child that are used to determine  
9 eligibility for aid to families with dependent children.

10 [In determining need for general assistance, the department  
11 shall take into consideration all income, excluding that amount  
12 equal to the expenses reasonably attributable to the earning of  
13 income up to twenty-five dollars (\$25) per month, of all members  
14 of the assistance unit who are fourteen years of age or older.  
15 The deduction shall be considered to cover all transportation  
16 expenses related to employment, all child and adult care related  
17 to employment, all other expenses attributed to employment such  
18 as but not limited to union dues, uniforms and the like, and all  
19 deductions over which the employee has no control such as but not  
20 limited to Federal and State income tax. In addition to said  
21 work related expenses, a work incentive equal to the first  
22 twenty dollars (\$20) plus fifty percent of the next sixty  
23 dollars (\$60) may be deducted from the gross monthly wages of  
24 each employed recipient of general assistance for a period not  
25 to exceed four months. The general assistance grant shall be  
26 computed on the remainder.]

27 (b) Income as used in subsection (a) includes benefits in  
28 cash or in kind (other than the rental value of living  
29 accommodations), as defined by the department in accordance with  
30 Federal law and regulations.

1 (c) In establishing financial eligibility and the amount of  
2 the assistance payment in both the aid to families with  
3 dependent children program and the general assistance program,  
4 the department may consider the income of certain individuals as  
5 if it were actually available to other household members  
6 notwithstanding the fact that the income may not be actually  
7 available to other household members. Income of stepparents  
8 living in a household shall be considered available to the  
9 household by the department. The department may choose to  
10 consider income on either a prospective or retrospective basis  
11 in determining eligibility and the amount of the assistance  
12 payment. Benefit determinations for general assistance and for  
13 aid to families with dependent children shall be based on the  
14 Federal allowances for actual work expenses, work incentives and  
15 any allowable amount of day care expense per eligible child that  
16 are used to determine benefit amounts for aid to families with  
17 dependent children. The applicant or recipient shall as a  
18 necessary condition of eligibility:

19 (1) provide all information necessary to income  
20 determination; and

21 (2) take all actions necessary to obtain unconditionally  
22 available income including applying for unemployment  
23 compensation to the extent permitted by Federal law. Income  
24 shall be considered unconditionally available if the applicant  
25 or recipient has only to claim or accept such income, including  
26 any type of governmental benefits, social insurance, private  
27 pension or benefits plan, or offers of private contributions,  
28 including contributions from relatives not in the nature of  
29 disaster relief.

30 Section 2. This act shall take effect immediately.